

REMARKS

Counsel thanks Examiner Kidwell for the courtesy of an interview held on August 14, 2003.

Claims 6-8, 10, 12-27 are pending in the application. Claim 6 has been amended to include claim 11, now cancelled. Claim 8 has been rewritten in independent form. Other claims have been amended to reflect new dependency and/or improve claim language. Claims 24-27 have been added to provide Applicants with the scope of protection to which they are believed entitled. No new matter has been introduced through the foregoing amendments.

The *35 U.S.C. 112, second paragraph* rejection of claim 21 is believed overcome as indicated by Examiner Kidwell at the Interview. **Indication of allowable subject matter of claim 21 in the absence of art rejections is believed proper, and therefore respectfully requested.**

The *35 U.S.C. 102(e)* rejection of claims 6-7, 12, 22-23 as being anticipated by *Congleton* is traversed for the reasons advanced in the Amendment paper filed April 15, 2003 which are incorporated herein by reference. Briefly, *Congleton* fails to teach or disclose that **a density of the fibrous component in the indented regions is lower than in the central and side regions** as recited in independent claim 6.

Notwithstanding the above and solely for the purpose of expediting prosecution. Claim 6 has been amended to include claim 11 which is not anticipated by *Congleton*. Withdrawal of the *35 U.S.C. 102(s)* rejection is therefore in order.

The anticipatory rejection of claim 8 is also erroneous for the reasons advanced in the Amendment paper filed April 15, 2003 which are incorporated herein by reference.

The *35 U.S.C. 103(a)* rejection of claims 10-20 as being obvious over *Congleton* is traversed for the reasons advanced in the Amendment paper filed April 15, 2003 which are incorporated herein by reference.

As to claim 10, Applicants respectfully request that **column and line numbers** of U.S. Patent No. 5,248,309 where the Examiner's alleged well known feature is disclosed be cited. U.S. Patent No. 5,248,309 should also be made of record and listed in a PTO-892 form.

As to claim 17, it is noted that the Examiner did not respond to Applicants' arguments advanced in page 7, the last four paragraphs of the Amendment filed June 14, 2002. **Clarification is respectfully requested.**

As to claim 18, this claim has been amended to specifically define over FIGs. 4 and 1 of U.S. Patents Nos. 3,929,135 and 4,342,314, respectively. More particularly, the patents do not teach or suggest a portion of the topsheet that extends continuously within the space and includes at least a first section extending from the opening toward the bottom along one of the side walls, a second section extending from the bottom toward the opening along the other side wall, and **a third section located between, contiguous to and connecting the first and second sections.**

New claims 24-27 are patentable not only for the reason advanced with respect to independent claims 6 and 8 but also on their own merits since these claims recite other features of the invention neither disclosed, taught nor suggested by the applied art.

For example, as to claims 24-25, *Congleton* fails to teach or suggest that an **entirety** of said core is made of a fibrous material defining said **fibrous** component. See page 8 the last five lines of the specification. *Congleton* must have a foam material as described in the patent.

As to claim 27, *Congleton* fails to teach or suggest that a minimum thickness of said core in said central region is not lower than a maximum thickness of said core in the indented regions and side regions. FIG. 1A of *Congleton* clearly fails to meet this claim requirement. FIG. 2A of *Congleton* does not appear to meet the requirement of less fibrous density of claim 6 from which claim 27 depends.

In the following sections, Applicants will respond to the Examiner's rationale in the Advisory Action.

The Examiner's argument that "the cutting process eliminates some of the absorbent material without compressing it, thereby leaving less grams per cubic centimeter" is inaccurate. Density is expressed as a ratio of mass to volume ($D = m/v$). Density decreases if mass decreases or volume increases. In the cutting process depicted in FIG. 2A of *Congleton*, the thickness of the core is reduced, but the density remains unchanged throughout the core because the mass and volume of the core are reduced proportionally. In the cutting process depicted in FIG. 2A of *Congleton*, the density in the bellows 45 decreases as the volume in these regions increases. However, the density below bottom 40 appears unchanged because neither mass nor volume below bottom 40 is affected by the cutting process. Accordingly, the density in the region below bottom 40 of *Congleton* is deemed equal to the density in the central and side regions, outside bellows 45. The density in the region below bottom 40 of *Congleton* is greater than the density in the bellows 45. The above do not satisfy the requirement of the independent claims that the density in the indented regions is less than in the central and side regions.

The Examiner misunderstood Applicants' argument regarding the fibrous component. Applicants did not argue that *Congleton* does not teach fibrous components. Applicants argued that changes, if any, in the density of the *Congleton* foam material is irrelevant and not readable on the claimed density of the **fibrous** material because foam and fibrous materials are structurally distinguishable.

The Examiner's argument that *Congleton* teaches intermittent indented regions and her reliance on column 19, line 63 through column 20, line 3 of *Congleton* are inaccurate. *Congleton*, in the cited passage, teaches using lasers in either continuous or intermittent operation. Note column 19, line 67. This does not mean using the lasers to form indentations arranged at intervals as presently claimed. The teaching of *Congleton* means that the laser beam is outputted either

continuously or intermittently during the cutting process. The teaching of *Congleton* is in fact a process teaching. An intermittent laser beam is a beam that is repeatedly discontinued for short time periods and then resumes. Apparently, *Congleton* teaches how to control the timing of the lasers, but fails to mention or suggest the invention of independent claim 8.

The Examiner's additional reliance on U.S. Patent No. 5,248,309 has been addressed above with respect to claim 10.

The Examiner's additional reliance on U.S. Patents Nos. 3,929,135 and 4,342,314 has been addressed above with respect to claim 18.

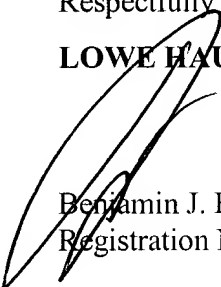
Each of the Examiner's rejections has been traversed. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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